

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KHELSEI S. HARVEST,

Plaintiff,

v.

THE GRAND RESERVE MGM
LLC, d/b/a THE GRAND RESERVE
PIKE ROAD,

Defendant.

CASE NO. 2:17-CV-209-WKW
[WO]

ORDER

On September 21, 2017, the Magistrate Judge filed a Recommendation (Doc. # 22) to which no timely objections have been filed. Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED that:

1. The Magistrate Judge's Recommendation (Doc. # 22) is ADOPTED;
2. Plaintiff's Motion for Leave to File Second Amended Complaint (Doc. # 18) is GRANTED;
3. Defendant's Motion to Dismiss (Doc. # 9) is DENIED as moot;
4. Plaintiff shall file electronically a duplicate of the amended complaint (Doc. # 18-1), with a current filing date and certificate of service, on or before **October 26, 2017**;

5. This case is REFERRED back to the Magistrate Judge for further proceedings consistent with this opinion.

Additionally, Defendant notes in its Motion to Dismiss (Doc. # 9), supporting brief (Doc. # 10), and reply brief (Doc. # 20) that—although Plaintiff has identified it as two separate entities—Defendant is “properly identified as The Grand Reserve MGM, LLC d/b/a The Grand Reserve Pike Road.” (Doc. # 9, at 1; Doc. # 10, at 1; Doc. # 20, at 1.) The court *sua sponte* AMENDS the caption to reflect Defendant’s correct name. The parties are DIRECTED to use the new caption as it appears on this Order for all future submissions to the court, and the Clerk of Court is DIRECTED to change the caption accordingly.

DONE this 19th day of October, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE